

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

PAUL JEFFREY VOLL,

Plaintiff(s),

v.

UNITED STATES OF AMERICA, et al.,

Defendant(s).

Case No. 2:22-CV-610 JCM (BNW)

ORDER

Presently before the court is defendant United States of America (“USA”)’s motion to dismiss. (ECF No. 13). Plaintiff Paul Jeffrey Voll (“plaintiff”) has not responded, and the time to do so has passed.

Also before the court is defendant David N. Karpel (“Karpel”)’s motion to dismiss (ECF No. 12) and plaintiff’s motion to extend time (ECF No. 22), which are both moot.

Both defendants filed their motions to dismiss in October 2022. (ECF Nos. 12, 13). The court granted several stipulations to allow plaintiff extra time to respond to the motions. (ECF Nos. 15, 18, 21). Plaintiff moved for a fourth extension of time to respond in January 2023. (ECF No. 22). Before the court adjudicated plaintiff’s motion to extend time, the parties stipulated to the relief sought therein, which the court granted. (ECF Nos. 23, 24). Plaintiff’s motion to extend time (ECF No. 22) is thus rendered moot. Shortly thereafter, in March 2023, the court granted the parties’ stipulation to dismiss Karpel as a defendant. (ECF No. 28). Karpel’s motion to dismiss (ECF No. 12) is thus rendered moot.

The court’s order granting the parties’ stipulation to extend time extended the deadline to June 5, 2023, for plaintiff to respond to USA’s motion to dismiss. (ECF No. 29). This deadline has passed, and plaintiff has not filed a response. Pursuant to Local Rule 7-2(d), an opposing party’s failure to file a timely response to any motion constitutes the party’s consent to the

1 granting of the motion and is proper grounds for dismissal. Plaintiff's lack of response indicates
2 his consent to the granting of USA's motion and dismissal of the action against USA.

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that USA's motion to
5 dismiss (ECF No. 13) is GRANTED.

6 IT IS FURTHER ORDERED that Karpel's motion to dismiss (ECF No. 12) is DENIED
7 as moot.

8 IT IS FURTHER ORDERED that plaintiff's motion to extend time (ECF No. 22) is
9 DENIED as moot.

10 The clerk of the court is instructed to close this case.

11 DATED June 9, 2023.

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UNITED STATES DISTRICT JUDGE